



UNITED STATES DISTRICT COURT  
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Mr. Rodney C. Early, Clerk  
United States District Court  
304 United States Courthouse  
68 Court Street  
Buffalo, NY 14202-3328

IN RE: MDL DOCKET No. 1456 In Re: Pharmaceutical Industry Average  
Wholesale Price Litigation

USDC - Massachusetts Lead Case No. 1:01CV12257-PBS

Your Case: Civil Action No: 1:05-6206 County of Genesee v. Abbott Laboratories, Inc. et al  
District of MA No: 1:05-cv-11370 PBS

Dear Mr. Early :

Enclosed is a certified copy of the Order of the Judicial Panel on Multi-District Litigation, transferring the cases on the attached listing to the U.S. District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to Title 28 United States Code Section 1407. These cases have been assigned to the Honorable Patti B. Saris.

In accordance with the Rules concerning Multi-District Litigation, please forward the original case file, along with a certified copy of the docket entries and a copy of the transfer order for the case now pending in your district as indicated above. Also include a copy of this letter when transmitting your records to the above address.

Your prompt attention to this matter is greatly appreciated. If you should have any questions, please do not hesitate to contact the undersigned at 617-748-9113, Robert Alba, Courtroom Clerk for Judge Saris at 617-748-9175 or Christine Patch, Docket Clerk for Judge Saris, at 617-748-9178.

Sincerely,

Kimberly M. Abaid  
Deputy Clerk

Information Copy to: Michael Beck, Clerk of the Panel  
Counsel of Record  
Robert Alba  
Christine Patch

CLOSED, CLOSED\_2005, JWF, STAYED

**U.S. DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK [LIVE] (Buffalo)  
CIVIL DOCKET FOR CASE #: 1:05-cv-06206-MAT**

The County of Genesee v. Abbott Laboratories,  
Inc. et al  
Assigned to: Hon. Michael A. Telesca  
Cause: 42:1396 - Tort Negligence

Date Filed: 04/20/2005  
Jury Demand: None  
Nature of Suit: 890 Other  
Statutory Actions  
Jurisdiction: Federal Question

**Plaintiff**

**The County of Genesee**

represented by **Joanne M. Cicala**  
Kirby McInerney & Squire, LLP  
830 Third Avenue  
Suite 10  
New York, NY 10022  
212-371-6600  
Fax: 212-751-2540  
Email: jcicala@kmslaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Aaron D. Hovan**  
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830 Third Avenue  
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212-371-6600  
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**ATTORNEY TO BE NOTICED**

**Roger W. Kirby**  
Kirby McInerney & Squire, LLP  
830 Third Avenue  
New York, NY 10022  
(212) 371-6600

*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Abbott Laboratories, Inc.**

**Defendant**

**Agouron Pharmaceuticals, Inc.**

**Defendant**

**Alcon Laboratories, Inc.**

**Defendant**

**Allergan, Inc.**

**Defendant**

**Alpharma, Inc.**

**Defendant**

**Amgen, Inc.**

**Defendant**

**Andrx Corporation**

**Defendant**

**AstraZeneca Pharmaceuticals  
L.P.**

**Defendant**

**Aventis Pharmaceuticals Inc.**

**Defendant**

**Barr Laboratories, Inc.**

**Defendant**

**Baxter Healthcare Corporation**

**Defendant**

**Baxter International, Inc.**

**Defendant**

**Bayer Corp.**

**Defendant**

**Ben Venue Laboratories, Inc.**

**Defendant**

**Berlex Laboratories, Inc.**

**Defendant**

**Biogen Idec, Inc.**

**Defendant**

**Biovail Pharmaceuticals, Inc.**

**Defendant**

**Boehringer Ingelheim Corp.**

**Defendant**

**Boehringer Ingelheim  
Pharmaceuticals, Inc.**

**Defendant**

**Bristol-Meyers Squibb  
Company**

**Defendant**

**Dermik Laboratories, Inc.**

**Defendant**

**Dey Inc.**

**Defendant**

**Eisai Inc.**

**Defendant**

**Eli Lilly and Company**

**Defendant**

**Endo Pharmaceuticals Inc.**

**Defendant**

**Ethex Corp.**

**Defendant**

**Forest Laboratories, Inc.**

**Defendant**

**Forest Pharmaceuticals, Inc.**

**Defendant**

**Fujisawa Healthcare, Inc.**

**Defendant**

**Fujisawa USA, Inc.**

**Defendant**

**Genentech, Inc.**

**Defendant**

**Genzyme Corp.**

**Defendant**

**GlaxoSmithKline P.L.C.**

**Defendant**

**Greenstone, LTD**

**Defendant**

**Hoffman-La Roche, Inc.**

**Defendant**

**Immunex Corporation**

**Defendant**

**Ivax Corp.**

**Defendant**

**Ivax Pharmaceuticals, Inc.**

**Defendant**

**Janssen Pharmaceutica  
Products, LP**

**Defendant**

**Johnson & Johnson**

**Defendant**

**King Pharmaceuticals**

**Defendant**

**McNeil-PPC, Inc.**

**Defendant**

**MedImmune, Inc.**

**Defendant**

**Merck & Co., Inc.**

**Defendant**

**Monarch Pharmaceuticals, Inc.**

**Defendant**

**Mylan Laboratories, Inc.**

**Defendant**

**Mylan Pharmaceuticals, Inc.**

**Defendant**

**Novartis Pharmaceuticals  
Corp.**

**Defendant**

**Novo Nordisk Pharmaceuticals,  
Inc.**

**Defendant**

**Oncology Therapeutics  
Network Corp.**

**Defendant**

**Organon Pharmaceuticals  
USA, Inc.**

**Defendant**

**Ortho Biotech Products, LP**

**Defendant**

**Ortho-McNeil Pharmaceutical,  
Inc.**

**Defendant**

**Par Pharmaceutical, Inc.**

**Defendant**

**Pfizer, Inc.**

**Defendant**

**Pharmacia Corp.**

**Defendant**

**Purdue Pharma, L.P.**

**Defendant**

**Purepac Pharmaceutical Co.**

**Defendant**

**Reliant Pharmaceuticals**

**Defendant**

**Roche Laboratories, Inc.**

**Defendant**

**Roxane Laboratories, Inc.**

**Defendant**

**Sandoz, Inc.**

**Defendant**

**Sanofi-Synthelabo, Inc.**

**Defendant**

**Schering Corporation**

**Defendant**

**Schering-Plough Corp.**

**Defendant**

**Serono, Inc.**

**Defendant**

**Smithklinebeeckam Corp.**

*doing business as*

Glaxosmithkline

**Defendant**

**Takeda Pharmaceuticals North  
America, Inc.**

**Defendant**

**Tap Pharmaceutical Products,  
Inc.**

**Defendant**

**Teva Pharmaceutical USA, Inc.**

**Defendant**

**UCB Pharma, Inc.**



**Defendant**

**UDL Laboratories, Inc.**

**Defendant**

**Warrick Pharmaceuticals  
Corp.**

**Defendant**

**Watson Pharma, Inc.**

**Defendant**

**Watson Pharmaceuticals, Inc.**

**Defendant**

**Wyeth**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
04/20/2005	<a href="#"><u>1</u></a>	COMPLAINT against Alpharma, Inc., Amgen, Inc., Andrx Corporation, AstraZeneca Pharmaceuticals L.P., Aventis Pharmaceuticals Inc., Barr Laboratories, Inc., Baxter Healthcare Corporation, Baxter International, Inc., Bayer Corp., Ben Venue Laboratories, Inc., Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Bristol-Meyers Squibb Company, Dermik Laboratories, Inc., Dey Inc., Eisai Inc., Eli Lilly and Company, Endo Pharmaceuticals Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corp., GlaxoSmithKline P.L.C., Greenstone, LTD, Hoffman-La Roche, Inc., Immunex Corporation, Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson & Johnson, King Pharmaceuticals, McNeil-PPC, Inc., MedImmune, Inc., Merck & Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Oncology

		<p>Therapeutics Network Corp., Organon Pharmaceuticals USA, Inc., Ortho Biotech Products, LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer, Inc., Pharmacia Corp., Purdue Pharma, L.P., Purepac Pharmaceutical Co., Reliant Pharmaceuticals, Roche Laboratories, Inc., Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Schering Corporation, Abbott Laboratories, Inc., Schering-Plough Corp., Serono, Inc., Smithklinebeecham Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Agouron Pharmaceuticals, Inc., Watson Pharma, Inc., Watson Pharmaceuticals, Inc., Wyeth, Alcon Laboratories, Inc., Allergan, Inc. ( Filing fee \$ 250 receipt number 67545.), filed by The County of Genesee. (Attachments: # <a href="#">1</a> Exhibit A# <a href="#">2</a> Exhibit B# <a href="#">3</a> Exhibit C# <a href="#">4</a> Exhibit D# <a href="#">5</a> Exhibit E)(SG, ) (Entered: 04/25/2005)</p>
04/20/2005		<p>Summons Issued as to Alpharma, Inc., Amgen, Inc., Andrx Corporation, AstraZeneca Pharmaceuticals L.P., Aventis Pharmaceuticals Inc., Barr Laboratories, Inc., Baxter Healthcare Corporation, Baxter International, Inc., Bayer Corp., Ben Venue Laboratories, Inc., Berlex Laboratories, Inc., Biogen Idec, Inc., Biovail Pharmaceuticals, Inc., Boehringer Ingelheim Corp., Boehringer Ingelheim Pharmaceuticals, Inc., Bristol-Meyers Squibb Company, Dermik Laboratories, Inc., Dey Inc., Eisai Inc., Eli Lilly and Company, Endo Pharmaceuticals Inc., Ethex Corp., Forest Laboratories, Inc., Forest Pharmaceuticals, Inc., Fujisawa Healthcare, Inc., Fujisawa USA, Inc., Genentech, Inc., Genzyme Corp., GlaxoSmithKline P.L.C., Greenstone, LTD, Hoffman-La Roche, Inc., Immunex Corporation, Ivax Corp., Ivax Pharmaceuticals, Inc., Janssen Pharmaceutica Products, LP, Johnson &amp; Johnson, King Pharmaceuticals, McNeil-PPC, Inc., MedImmune, Inc., Merck &amp; Co., Inc., Monarch Pharmaceuticals, Inc., Mylan Laboratories, Inc., Mylan Pharmaceuticals, Inc., Novartis Pharmaceuticals Corp., Novo Nordisk Pharmaceuticals, Inc., Oncology Therapeutics Network Corp., Organon Pharmaceuticals</p>

		USA, Inc., Ortho Biotech Products, LP, Ortho-McNeil Pharmaceutical, Inc., Par Pharmaceutical, Inc., Pfizer, Inc., Pharmacia Corp., Purdue Pharma, L.P., Purepac Pharmaceutical Co., Reliant Pharmaceuticals, Roche Laboratories, Inc., Roxane Laboratories, Inc., Sandoz, Inc., Sanofi-Synthelabo, Inc., Schering Corporation, Abbott Laboratories, Inc., Schering-Plough Corp., Serono, Inc., Smithklinebeechem Corp., Takeda Pharmaceuticals North America, Inc., Tap Pharmaceutical Products, Inc., Teva Pharmaceutical USA, Inc., UCB Pharma, Inc., UDL Laboratories, Inc., Warrick Pharmaceuticals Corp., Agouron Pharmaceuticals, Inc., Watson Pharma, Inc., Watson Pharmaceuticals, Inc., Wyeth, Alcon Laboratories, Inc., Allergan, Inc.. (SG, ) (Entered: 04/25/2005)
04/28/2005	<a href="#"><u>2</u></a>	ORDER REASSIGNING CASE. Case reassigned to Judge Michael A. Telesca for all further proceedings. Judge William M. Skretny no longer assigned to case. Signed by Hon. Richard J. Arcara on 04/27/2005. (Baker, J.) (Entered: 04/28/2005)
04/29/2005		All future submission in this action should reflect, and be filed in, the new case number 05cv6206T(F). (SG, ) (Entered: 04/29/2005)
06/01/2005	<a href="#"><u>3</u></a>	ORDER STAYING CASE pending the resolution of the transfer issue by the Panel on Multidistrict Litigation.. Signed by Hon. Michael A. Telesca on 5/31/05. (BJB, ) (Entered: 06/06/2005)
07/05/2005		Case transferred to District of Massachusetts (Judicial Panel on Multidistrict Litigation); Original file, certified copy of docket entries, a copy of the transfer order, and a copy of the 6/29/05 transfer letter from the District of Massachusetts. (JHF) (Entered: 07/12/2005)
07/05/2005	<a href="#"><u>4</u></a>	CERTIFIED COPY OF ORDER transferring case to the Judicial Panel on Mulitdistrict Litigation. Signed by Clerk of the Court Beck on 6/29/05. (JHF) (Entered: 07/12/2005)

PACER Service Center			
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